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GP 1635



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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#5 / R.T.  
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ELECTION  
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MAY 10 2001

Application of: John C. Reed

Serial No.: 09/724,425

Group Art Unit: 1635

Filed: November 28, 2000

Examiner: Schmidt, M.

TECH CENTER 1600/2900

For: REGULATION OF BCL-2 GENE  
EXPRESSION

Attorney Docket No.: 10412-026

RESPONSE TO RESTRICTION REQUIREMENT UNDER 37 C.F.R. § 1.143

Assistant Commissioner for Patents  
Washington, D.C. 20231

Sir:

In response to the Office Action mailed on April 6, 2001 in connection with the above-identified patent application, please enter and consider the following remarks. It is estimated that no fee is required for this response. In the event that a fee is required, please charge the required fee to Pennie & Edmonds LLP Deposit Account No. 16-1150.

REMARKS

Claims 1-24 are pending in the instant application. The Examiner has required restriction of the pending claims to one of the following three groups:

Group I Claims 1-7, drawn to antisense compositions; and

Group II Claims 8-13 and 14-24, drawn to pharmaceutical compositions and methods of treatment using antisense compositions.

It is contended that the inventions of Group I-II are distinct, each from the other.

In response, Applicant hereby provisionally elects, with traverse, to prosecute the claims of Group II, drawn to pharmaceutical compositions and methods of treatment using antisense compositions, without prejudice to Applicant's rights to pursue the non-elected subject matter in other applications.

Applicant retains the right to petition from the restriction requirement under 37 C.F.R. § 1.144.

Applicant respectfully requests that the above-made remarks be made of record in the file history of the instant application.

Date May 7, 2001

Respectfully submitted, *by: Jacqueline Benn*  
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